Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Action to strengthen the review process for the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper submitted by the members of the Non-Proliferation and Disarmament Initiative (Australia, Canada, Chile, Germany, Japan, Mexico, Netherlands, Nigeria, Philippines, Poland, Turkey and United Arab Emirates)

Background

1. Reviewing the implementation of any major treaty is important to maintain the treaty regime's relevance and vibrancy. It is especially important for the Treaty on the Non-Proliferation of Nuclear Weapons, the cornerstone treaty on nuclear non-proliferation and disarmament. This is recognized in article VIII, paragraph 3, of the Treaty. Over several decades, the review process has contributed to major achievements across all three pillars of the Treaty.

2. Strengthening the review process for the Treaty was given significant weight in the 1995 package on the indefinite extension of the Treaty (as decision 1 of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons). Further changes were agreed in 2000 and 2010. Nevertheless, the process could be improved to increase its efficiency and effectiveness. For example, the Preparatory Committee sessions have had difficulty in fully implementing the mandate agreed in 1995 for them to "consider principles, objectives and ways" to promote the full implementation of the Treaty and its universality and to "make recommendations thereon to the Review Conference", as well as to make the procedural preparations for the next Review Conference (NPT/CONF.1995/32 (Part I), annex, decision 1, para. 4).[1]

Further action on strengthening the review process for the Non-Proliferation Treaty

3. The Non-Proliferation and Disarmament Initiative proposes that States parties to the Treaty review and assess the review process for the Treaty to identify areas where the process could work better and discuss possible improvements.

[1] Decision 1 on strengthening the review process for the Treaty, as proposed by the President and presented to the 1995 Review and Extension Conference, was adopted without a vote.

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4. The Non-Proliferation and Disarmament Initiative considers that the review cycle could benefit from the consideration of efficiency-oriented ideas for enhancing the review process for the Treaty to enable more substantive outcomes and improve effectiveness, efficiency, accountability and transparency so as to strengthen the future implementation of the Treaty. Such a working group could be established by States parties to the Treaty at the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons or sooner.

5. The Non-Proliferation and Disarmament Initiative is interested in exchanging points of view and suggestions from all States parties on the best way to take this matter forward.

6. As affirmed in the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, "improving the effectiveness of the strengthened review process is an ongoing responsibility of States parties".

7. This collective responsibility will always be with us. As we approach the historic fiftieth anniversary of the entry into force of the Treaty in 2020, it is especially timely to consider a dedicated process for further enhancing the review process, thus maximizing the prospects for successful future substantive review outcomes and strengthening the implementation of the Treaty.

8. The more we improve the review process, the more we can improve the efficiency of our working methods and also foster and take advantage of political will, which is the most important ingredient in successful review cycle outcomes.

9. Although the review process for the Treaty has generally served us well, there are aspects that could be improved. For example, there may be scope to consider ways to improve the following:

- How effectively the process enables the substantive review of the implementation of the Treaty
- Our collective responsiveness in practice to emerging developments
- Transparency and accountability
- "Institutional memory" (e.g., through enhanced secretariat arrangements), which would assist participation by States parties
- How efficiently we use our time and resources

10. The potential benefits of any improvements in those areas include the following:

- Facilitating the review of the implementation of the Treaty
- Better equipping States parties to the Treaty to respond in a timely manner to emerging trends or crises
- Enhancing the opportunity for States parties to participate fully in the review cycle
- Helping to ensure that resources are applied to their most productive use

11. There is a long history of proposals for enhancing the review process for the Treaty that more often than not failed to attract consensus. Some past proposals may warrant revisiting.

12. A working group, for example, could provide a dedicated forum for advancing and debating ideas, so that States parties can reach informed conclusions and, perhaps, compromises on which changes would best enhance the review process for

the Treaty. As noted above, the Non-Proliferation and Disarmament Initiative is open to suggestions for mechanisms directed to that end.

13. The Non-Proliferation and Disarmament Initiative asks that all States parties give renewed attention to this important topic.

Conclusion

14. The Non-Proliferation and Disarmament Initiative does not underestimate the difficulty of reaching agreement on enhancements to further strengthen the review process. Even modest improvements are worth working towards in view of the vital importance of the Treaty.

15. Even if the proposed renewed effort to improve the review process were to produce no major changes to the process, it might give rise to some useful and modest suggestions of a kind that are not contentious and could be implemented without any need for formal decision-making.

16. We therefore encourage all States parties to the Treaty to agree to make fresh efforts to review the review process itself.